



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 24, 2001

Robert P. Parker, Esq.
Paul, Weiss, Rifkind, Wharton & Garrison
1615 L Street, NW
Washington, DC 20036-5694

RE: MUR 4940
Campaign for America, Jerome
Kohlberg, Douglas C. Berman and
Eileen Capone

Dear Mr. Parker:

On November 2, 1999, the Federal Election Commission notified your clients, Campaign for America, Jerome Kohlberg, Douglas C. Berman and Eileen Capone, of a complaint alleging that they had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

On January 17, 2001, the Commission considered the complaint. The Commission found reason to believe that Campaign for America violated 2 U.S.C. § 434(c)(2) and 11 C.F.R. §§ 104.4(c)(2) and 109.2(a) with respect to its failure to file an FEC Form 5 with the Secretary of the Senate by October 28, 1998, but determined to take no further action with respect to the violations. In addition, there was an insufficient number of votes to find no reason to believe that Campaign for America violated 2 U.S.C. §§ 433, 434(a), 441a(f) and 441d(a)(3); that Jerome Kohlberg 2 U.S.C. § 441a(a)(1)(C), (a)(3); or that Douglas C. Berman and Eileen Capone violated the Act. Accordingly, the Commission closed its file in this matter. The General Counsel's Report, which formed a basis for the Commission's reason to believe finding, is attached for your information. Statements of Reasons providing bases for the Commission's other decisions will follow.

The Commission reminds Campaign for America that when filing an FEC Form 5 for an independent expenditure made in connection with a race for the United States Senate, the form is to be filed with the Secretary of the Senate, not the Commission. Your client should take steps to ensure that it follows this procedure in the future.

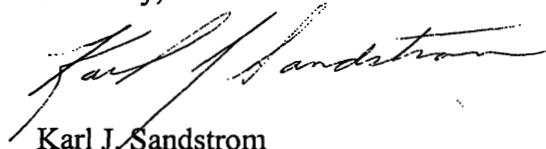
The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you

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wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Tony Buckley, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karl J. Sandstrom".

Karl J. Sandstrom
Commissioner

Enclosure
First General Counsel's Report

2025 RELEASE UNDER E.O. 14176